



TITLE:

REVIVAL OF TRADITION IN THE ERA OF GLOBAL THERAPEUTIC GOVERNANCE: THE CASE OF ICC INTERVENTION IN THE SITUATION IN NORTHERN UGANDA

AUTHOR(S):

ENOMOTO, Tamara

CITATION:

ENOMOTO, Tamara. REVIVAL OF TRADITION IN THE ERA OF GLOBAL THERAPEUTIC GOVERNANCE: THE CASE OF ICC INTERVENTION IN THE SITUATION IN NORTHERN UGANDA. *African Study Monographs* 2011, 32(3): 111-134

ISSUE DATE:

2011-09

URL:

<https://doi.org/10.14989/147079>

RIGHT:

REVIVAL OF TRADITION IN THE ERA OF GLOBAL THERAPEUTIC GOVERNANCE: THE CASE OF ICC INTERVENTION IN THE SITUATION IN NORTHERN UGANDA

Tamara ENOMOTO

*Advanced Social and International Studies, Graduate School of Arts and Sciences,
Tokyo University*

ABSTRACT The International Criminal Court (ICC) announced its investigation into the situation in northern Uganda in January 2004. Controversy ensued as to whether so-called Acholi traditional justice or the ICC would be more appropriate to handle the crimes committed during the conflict. In the course of the debates on this matter, it has widely been stated that Acholi traditional justice is restorative, while ICC justice is retributive. This paper shows that such a narrative is not necessarily self-evident. The paper also examines the complex process through which various local and outside agencies sought to revive Acholi tradition after the mid 1990s, leading to the development of the above narrative. Such an examination reveals the competing visions of governance that have been at work behind the revival. In the course of this revival, outside agencies have projected their conception of the self upon the Acholi people and their vision of therapeutic governance upon Acholi tradition. However, this vision of governance is not necessarily shared by all Acholi proponents of their “tradition” who have cooperated with outside agencies. Rather, the therapeutic paradigm of governance seems to have been (re)interpreted and utilized by various Acholi actors who have held differing and, at times, hybrid worldviews.

Key Words: Acholi; Culture; Trauma; Biopolitics; Transitional Justice; Reconciliation; Peace Building.

INTRODUCTION

Since the 1990s, conflicts in southern countries, especially in Africa, have attracted much international attention. Aid donors, researchers, and the media have consistently described these conflicts as different in nature from those in the past, largely internal or regional, often identity-based, and characterized by excessive violence upon civilian populations (Boutros-Ghali, 1992; Collier, 2000; Kaldor, 1999). In order to respond to such conflicts, a number of so-called peace building or conflict-prevention interventions have unfolded, with wide-ranging actors including donor countries, United Nations (UN) agencies, and non-governmental organizations (NGOs). These actors have generally argued that such international interventions should address the need to transform southern societies as a whole, including attitudes, beliefs, emotions, and intimate relations (World Bank & Carter Center, 1997). At times, they have incorporated “traditional” or “cultural” practices and ideas in their efforts to achieve social transformation. For instance, in countries such as Burundi, Mozambique, Rwanda, Sierra Leone, Timor-Leste, and Uganda, traditional or cultural institutions and values were expected to contribute to bringing

justice to victims, reconciling the society, reintegrating ex-soldiers, or promoting a culture of peace (Huyse & Salter, 2008).

In the Acholi sub-region of northern Uganda, aid donors sought to revive the tradition from the latter half of the 1990s onwards, because they assumed that Acholi traditional ideas and practices would be effective in reintegrating ex-soldiers and reconciling the society. So-called Acholi tradition then faced criticisms but also garnered continued support from outside actors after the International Criminal Court (ICC) announced its planned investigation into the situation in northern Uganda in 2004. In the course of the debates that followed, it was widely narrated that Acholi traditional justice is restorative, while ICC justice is retributive.

A counter-literature in the field of international relations has emerged as a critique of the recent peace building and development technologies as well as their underlying assumptions (Abrahamson, 2005; Biccum, 2005; Chandler, 2010; Duffield, 2001; Furedi, 2007; Newman, 2010; Pupavac, 2004; Reid, 2010). Duffield (2001) argues that the manner in which a network of global governance constructed and interpreted the post Cold War conflicts led to a merger between development and security, and it was an important part of the West's moral justification for its system-wide intervention. Duffield and Waddell (2004) point out that policy-makers have rediscovered that conflicts pose a threat to human development; they destroy the homeostatic nature of populations and leave individuals psychologically impaired. Pupavac (2001a; 2001b; 2004) uses the term "therapeutic governance," and explains that the contemporary Western therapeutic perspectives have been applied to international conflict management since the 1990s. As a result, wars are now perceived as illegitimate and traced to the psychological and social dysfunctionality of individuals. She claims that such demoralization of southern populations questions their right to self-government and autonomy, and legitimizes an extensive outside intervention in economic policy, the political system, cultural institutions and values, relations within the family and clan, and the individual's psychological condition.

Focusing on Pupavac's concept of global therapeutic governance, this paper critically analyzes the dominant narrative of Acholi traditional justice and the efforts to incorporate Acholi tradition into peace building initiatives. Based on my fieldwork, literature review, as well as on my eight years of experience working for one of the international NGOs that partook in the "justice" debates,⁽¹⁾ I demonstrate the complex process whereby outside agencies projected the vision of therapeutic governance onto Acholi tradition in the course of the revival. Despite its extensive incursion into Acholi social life with a possible influence on the course of the conflict, I reveal the rather contingent and fragile disposition of the therapeutic vision of governance in the Acholi sub-region.

THE ICC AND THE CONFLICT IN NORTHERN UGANDA

The ICC is the first permanent international tribunal to try individuals accused of serious international crimes, including genocide, war crimes, and crimes against humanity. The ICC can persecute such crimes committed on or after July 1, 2002,

when the Rome Statute of the ICC entered into force. To date,⁽²⁾ all of the six situations into which the court has opened investigations have been in Africa.⁽³⁾ Therefore, the actual activities of the ICC have necessarily been regarded as part of the international commitment to end the culture of impunity, establish the rule of law, prevent future atrocities, and build peace in the conflict-ridden area. On the other hand, the ICC has faced a number of difficult issues in each situation, and the case of northern Uganda is no exception.

In January 1986, the southern-based army, led by the current president Yoweri Museveni, overthrew Tito Okello's regime, which was dominated by Acholis. Absorbing many soldiers of the former regime who had fled to the north, a number of anti-government forces were formed. The Lord's Resistance Army (LRA), led by an Acholi, Joseph Kony, emerged in the late 1980s, and the war between the LRA and the government forces, the Uganda People's Defence Force (UPDF), persists to date. While claiming that it was fighting for the Acholi people, the LRA started to abduct people, especially Acholis, from northern Uganda and ordered them to commit atrocities against their families and communities. The government forces have also been regularly accused by human rights organizations of committing atrocities in northern Uganda (Human Rights Watch, 2003).

Therefore, when the newly formed ICC announced its first investigation into the situation following a referral by the government of Uganda, both the LRA and the UPDF seemed to be appropriate targets for the court. However, this was met with an unexpected barrage of criticism from the so-called traditional and religious leaders⁽⁴⁾ of the most affected Acholi sub-region⁽⁵⁾ as well as from local and international aid organizations working in the sub-region. Some voiced concerns that the ICC would be used as a political tool by the Ugandan government that wanted to gain international support for its policy of "military solution" to the conflict. Others argued that the ICC was unlikely to deal with the crimes committed by the government forces and that this would, therefore, worsen the north-south divide that was created through colonial rule and that fuelled much of the country's post-independence political turmoil. It was also pointed out that the investigation would complicate any efforts to negotiate with the LRA and might prolong the war and the associated suffering of the people, approximately 90% of whom were by then confined in squalid camps. In addition, many critics vehemently argued that Acholi traditional justice was more appropriate than the ICC to handle the crimes committed during the conflict. In response to such criticisms, some researchers and international NGOs, especially international human rights NGOs, claimed that it was the ICC, and not Acholi traditional justice, that would deliver true justice and lasting peace in northern Uganda.

As the heated debates continued, the ICC decided to launch a formal investigation in July 2004, and it issued sealed arrest warrants for five senior members of the LRA⁽⁶⁾ in July 2005; these were unsealed in October 2005. During the peace talks initiated in 2006, the LRA and the Ugandan government sought to satisfy the ICC's principle of complementarity⁽⁷⁾ by agreeing on a national alternative judicial approach that would incorporate elements of traditional justice. However, the final agreement has still not been signed by the rebel leader Kony. None of the five members was ever arrested, and two of them⁽⁸⁾ are reported to have died.

Furthermore, the ICC has not issued arrest warrants for any UPDF commanders or Ugandan government officials.

NARRATIVES ON ACHOLI TRADITIONAL JUSTICE

One of the central issues in the controversy over the ICC's intervention has been what kind of justice is more appropriate to handle the crimes committed in the conflict. Most often, Acholi traditional justice has been described as restorative justice based on forgiveness and reconciliation (Blumenson, 2006; Civil Society Organisations for Peace in Northern Uganda, 2005; Nielsen, 2008; Volqvartz, 2005), and has been shown in contrast to the ICC's "retributive" justice. For instance, Lacey (2005) reported the following:

The two very different systems—one based on Western notions of justice, the other on a deep African tradition of forgiveness—are clashing in their response to one of this continent's most bizarre and brutal guerrilla wars, a conflict that has raged for 18 years in the rugged terrain along Uganda's border with Sudan.

The aim of Acholi traditional justice has often been explained as the restoration of relationships. Among many local practices, a ritual called *mato oput*,⁽⁹⁾ generally applied in cases of murder, is most frequently cited in narratives explaining Acholi traditional justice. For instance, Greenawalt (2009: 116) wrote the following:

Although the particular elements of the *mato oput* may differ from case to case, the defining feature of this tradition is that it restores social harmony after a homicide through confessions, negotiated compensation, and, ultimately, reconciliation between the offender and the victim's kin. The process culminates in a ritual whose individualized elements—typically including the beating of a stick, ritual slaughter, and the eating and drinking of various substances (including the "bitter root" for which the ceremony is named)—all play a symbolic role in furthering the goals of truth seeking and reconciliation. Alongside the Amnesty Act, these and other cleansing rituals have played an important role to date in the reintegration of former LRA members into their communities.

Based on this narrative on Acholi traditional justice, some researchers, activists, journalists, and aid workers, particularly the non-Acholis, have tended to understand that Acholi traditional justice has no punitive elements or is irreconcilable with the idea of punishment (Branch, 2004; Human Rights Watch, 2005; Lacey, 2005). Some supporters of Acholi traditional justice have argued as if the Acholi people have a special ability to forgive, while some critics, especially international human rights NGOs, have condemned Acholi traditional justice for being equal to impunity. For instance, Human Rights Watch (2005: 55) argued as follows:

A major shortcoming of the traditional reconciliation approach is the tolerance of impunity. The process involves acceptance of perpetrators back into the community after certain rituals, but does not take into account the views of the individual victims who might not want to forgive serious crimes, nor does it require the perpetrators be punished or pay material compensation to the victims.

However, the above narrative and understanding are not necessarily self-evident. The concept of restorative justice itself emerged through efforts to reform the justice system in Western societies during the 1970s (Zehr, 1990). Beginning as an alternative to, or a complementary mechanism of, the existing “retributive” justice system in the US, Canada, and other Western countries, it is often contrasted with retributive justice, as shown below (See Table 1).

In general, retributive justice is associated with proportionate punishment, and it is said to focus on making the perpetrator of a crime pay for his or her actions. Restorative justice is commonly associated with the participation of the victim, offender, and the wider community. It is said that the latter seeks to empower and restore the dignity of the victim and place greater value on reintegrating the offenders into society (Hovil & Quinne, 2005).

This classification of justice mechanisms moved into the international arena in the 1990s, when transitional justice became one of the core issues among international policymakers in the context of peace building and conflict prevention. Although Acholi traditional justice is associated with restorative justice, a close examination of local practices indicates that it is also possible to apply the retributive framework in making sense of them.

While conducting my fieldwork in northern Uganda in 2006, I learned that the term “traditional justice” is often expressed in the local language as *ngol matir* (right decision) or *ngol me te kwaro* (decision according to tradition).⁽¹⁰⁾ While

Table 1. Frequently cited differences between restorative justice and retributive justice

	Retributive Justice	Restorative Justice
[A] Nature of Crime	Crime violates the law.	Crime harms victim, community, offender and social relationships.
[B] Aim	Establish guilt and administer proportionate retribution to the offender.	Identify needs and obligations, and repair the harm caused by the crime.
[C] Responsibility of the Offender	Fulfilled by being punished.	Fulfilled by making amends and making right the harm done, and by understanding the harm caused.
[D] Offender in the Process	Passive and marginal in the process.	Has a central role in the process.
[E] Victim in the Process	Passive and marginal in the process.	Has a central role in the process.
[F] Key Actors in the Process	Legal and judicial professionals.	Victim, offender and their community.

the ICC deals with crimes within its jurisdiction in accordance with the Rome Statute, Acholi traditional justice, in a sense, decides the appropriate processes, including rituals and compensation, in accordance with the customary law of the group (e.g., clan) that has jurisdiction over the crime concerned. The document, "Law to Declare the Acholi Customary Law," prepared by the Acholi traditional leaders (Ker Kwaro Acholi, 2001), states the following under the clause, "Punishment":

Any person who contravenes any provision of any section of this law commits an offence against the customary law of the Acholi and shall be punished or ordered to pay reparations in accordance with the appropriate customary practices/punishment as declared and defined in the Schedule of this Law.

The most appropriate ritual and the type, number, sex, and color of the animal(s) necessary for the particular process depend on the kind of taboo, or crime, committed. Generally, the abovementioned *mato oput* is applied in cases of murder. Other rituals are applied in other kinds of crimes. The type and amount of compensation in cases of killing a person may differ, depending on, among other factors, whether the act was intentional, accidental, or in self-defense, the status of the victim, and the relationship between the offender and the victim.

Here, a crime can be explained as a violation of the customary law ([A] in Table 1). The offender is expected to go through the appropriate process and is burdened with a proportionate amount of compensation ([B] in Table 1). While the clans of the offender and the victim participate in determining the suitable ritual and compensation, these are principally decided by the chiefs and elders in accordance with the law in which they specialize ([D], [E], [F] in Table 1).

In terms of the responsibility of the offender, some understand that Acholi traditional justice is about reconciliation and forgiveness and is, therefore, irreconcilable with the idea of punishment. However, in my interviews with Acholi NGO staff and traditional leaders, elements that can be termed as repentance and compensation were often given rather punitive meanings and portrayed as preconditions for what can be described as reconciliation, forgiveness, and the restoration of relationships. For example, an Acholi NGO staff member explained the following:

If you kill somebody, the offender has to really regret it, and must live with members of his clan and the victim's clan, who have suffered because of his action. The offender and his family and clan members suffer because of the large amount of compensation. In addition to the impoverishment of your family and your clan, you have to face the suffering or the fear of suffering caused by the victim's spirit, to yourself, your family, and clan.⁽¹¹⁾ The victim's clan members can forgive, because they see the offender's clan suffer so much and because the lost life is restored through compensation. You try to prevent future crimes because, otherwise, the whole of your clan would suffer.⁽¹²⁾

In fact, the documents prepared by Acholi NGO staff or traditional leaders, such as the abovementioned document, “Law to Declare the Acholi Customary Law,” tend to equate compensation with punishment. A document written by a local researcher, “The Acholi People’s Rites of Reconciliation,” explains that an offender “is made to pay a less severe punishment” in cases of unintentional murder (J. Okumu, 2005: 10). In fact, in the local language, the term *culu wang kwor* means “pay compensation (for the killing committed),” when the offender or his or her family or clan is the subject of the sentence, whereas it means “pay back to the violent act” or “commit a revenge killing” when the victim’s family or clan is the subject of the sentence. An Acholi NGO staff member who mentioned this to me added, “I think it is because there is the element of pay back in both.”⁽¹³⁾

Such statements and descriptions seem consistent with the results of the interviews conducted by the researchers of the Refugee Law Project (Hovil & Quinne, 2005). They noticed that the interviewees spoke of a number of different solutions that drew on different models of justice, including both restorative and retributive ideas. This report pointed out that the Acholi justice mechanism encompasses facets of both restoration and retribution and, therefore, the informants do not distinguish between the two, and often speak of both at the same time. In addition, what can be interpreted as the principle of proportionate retribution, punishment for violations of the customary law, or suffering caused by spirits after violations of the law, can be found in earlier studies (Girling, 1960; C. Okumu, 2000; p’Bitek, 1971).

To conclude, Acholi traditional justice need not merely be narrated in line with the idea of restorative justice. However, I do not argue that Acholi traditional justice must be understood as retributive justice or as a combination of, or somewhere between, restorative justice and retributive justice. As I describe later in this paper, the local practices currently described as Acholi traditional justice have historically been understood by outside actors within various frameworks, such as traditional medicine and Acholi religion, which implies that they do not, in fact, need to be narrated as justice mechanisms. My observation above is simply an experiment to recognize the local practices as justice mechanisms and to make sense of them through the retributive lens. It merely shows that if we try to do so, it is also possible to describe the local practices in accordance with the idea of retributive justice. However, in the actual debates following the ICC intervention, Acholi traditional justice has widely been perceived as a form of restorative justice, and some researchers, activists, and aid workers, particularly the non-Acholis among them, have tended to understand that Acholi traditional justice is irreconcilable with the idea of punishment.

REVIVAL OF ACHOLI TRADITION SINCE THE 1990S

Why were the local practices so widely narrated within the framework of restorative justice in the debate following the ICC intervention? In order to answer this question, I propose contextualizing the narrative within the international atten-

tion and support given to the “revival of Acholi tradition” since the 1990s. In fact, after the ICC intervention, most international NGOs that favored Acholi traditional justice were already working in cooperation with the traditional leaders or had incorporated some elements of Acholi tradition into their projects. The documents and statements issued by these NGOs in English became the major source of information for others involved in the debates following the ICC intervention, such as non-Acholi international lawyers and journalists.

The notion of Acholi tradition started to gain international support after the 1997 publication of an influential research paper jointly commissioned by International Alert, an international NGO based in the UK, and Kacoke Madit, a forum initiated by some Acholis in diaspora. The report, titled “The Bending of the Spears,” compiled the views on peace and reconciliation of so-called Acholi opinion leaders (Pain, 1997). In the report, author Dennis Pain⁽¹⁴⁾ argued that the conflict was eroding Acholi culture and that a community-based approach drawing on Acholi culture, values, and institutions was necessary to bring peace and development to the area. The report highlighted the aforementioned ritual called *mato oput* as the traditional reconciliation and conflict resolution mechanism and called for international support of “the traditional authorities in establishing the reconciliation procedures to be used in resolving the conflict” (Pain, 1997: 86).

The report proved to be extremely influential among some international NGOs and other donors. In 1999, the Agency for Cooperation and Research in Development (ACORD), another international NGO, conducted research financed by the Belgian government. Building on Pain’s report, this research aimed to understand how the chieftaincy system had been affected by the war and whether “traditional healing and community reconciliation processes” were being conducted. Together with local government officials and Christian religious leaders, the ACORD staff traveled throughout the sub-region to identify the “traditional” leaders and to discuss what their role could and should be (Bradbury, 1999: 18).

Based on the findings of this research, the chiefs identified were formally reinstated, and the chief of the Payira clan was elected as the paramount chief in 1999. Ker Kwaro Acholi (KKA), an institution consisting mainly of the paramount chief, chiefs, and elders, was established in 2000. Prior to this, there was, in essence, no institution such as the KKA to bring together all the chiefs of the area. The title of paramount chief, *Lawi Rwodi*,⁽¹⁵⁾ was also new (Liu Institute for Global Issues et al., 2005: 44). The internationally and locally supported efforts that followed to restore or empower the roles of traditional leaders and institutions greatly increased the presence and influence of the traditional leaders in the area.⁽¹⁶⁾

In general, aid agencies supported the revival of Acholi tradition under the frameworks of reconciliation or the reintegration of ex-soldiers (Afako, 2003; Bradbury, 1999; Simonse, 1998), which were given great importance in the context of peace building or conflict prevention after the mid-1990s. Under such frameworks, one of the main problems was identified as “trauma” and the associated conduct of former LRA members, many of whom had been abducted and forced to become soldiers or the “wives” of soldiers. They were perceived as having the tendency or potential to resort to violence due to their violent experiences in

the bush. Aid agencies expected that traditional rituals would be effective in dealing with the psychological problems and violent tendencies of the former LRA members. They hoped that the rituals would help promote acceptance by the community, restore social relationships, and bring about reconciliation. They also believed that education on Acholi traditional values should be an integral part of peace education or the promotion of the culture of peace. At the level of aid projects, such traditional elements were most often incorporated under the label of “psychosocial activities.”

Although there is no clear and shared definition of psychosocial activities among aid agencies, such activities have been extremely popular among them since the 1990s and have become one of the major components of aid projects (Pupavac, 2001a). Activities that come under this category include, for example, trauma counseling, non-violent conflict resolution programs, self-esteem classes, sport activities, and dance and music lessons. Today, most aid organizations tend to encourage psychosocial activities based on local culture, tradition, or religion, so long as their consequences appear similar to those of activities more strictly founded on psychology. In the Acholi sub-region, outside agencies expected Acholi tradition to provide a culturally relevant way to heal the “trauma” of the Acholi individuals including former LRA members, to restore social relationships, break the cycle of violence, and to thereby build peace and prevent future violence.

However, in reality, *mato oput* and other ritual processes that require considerable compensation were simply unaffordable to many. Before the peace talks started in 2006, more than 90% of the population in the sub-region was contained in squalid internally displaced persons (IDP) camps. Although the government called them “protected villages,” UPDF soldiers frequently failed to protect them from LRA attacks and were often themselves accused of violent conduct against the IDPs. Movement between camps was restricted, and even daytime movement risked ambush by the LRA. Having lost their livestock and being detached from their fields, most IDPs had to rely on aid supplies. There was also the issue of whether the process of *mato oput* was applicable to the killings committed in this conflict by former LRA members, most of whom were abductees who had been forced to commit such crimes, often against people whose identities they did not know (Enomoto, 2007). As a result, what was actually practiced in the course of aid projects was the kind of modified ritual processes that placed little or no financial burden on the former LRA members (Enomoto, 2006; 2007). Animals necessary for such rituals were substituted by cheaper animals or other materials, or were provided by aid agencies. Thus, the actual modified practices of Acholi traditional justice had to focus on what can be termed as cleansing, reception, and forgiveness. Therefore, it comes as no surprise that international NGOs that had been cooperating with traditional leaders or incorporating elements of Acholi tradition into their projects portrayed Acholi traditional justice as restorative after the ICC intervention. Their reports, statements, press releases, and testimonies written or orally narrated in English were among the major sources of information for many other non-Acholis who engaged in the debates following the ICC intervention.⁽¹⁷⁾

Other major non-Acholi actors who voiced their opinions after the ICC

intervention were those with a legal background who specialized in the domestic judicial system or transitional justice. As pointed out in Pain's report (1997: 58), during the 1990s, some lawyers had already shown interest in what is currently referred to as Acholi traditional justice. In general, those legal minds perceived the so-called traditional practices as constituting an alternative justice mechanism in the period of transition from conflict to peace (Liu Institute for Global Issues et al., 2005: 4). Although Pain's report at one point contrasted "traditional justice" with "Western law," it did not use the term "restorative justice" to describe it. In documents produced by NGOs and researchers before the ICC intervention, including Pain's, the local practices currently framed as "Acholi traditional justice" were most often referred to as traditional reconciliation or traditional conflict resolution mechanisms (Afako, 2003).⁽¹⁸⁾ However, in the debates following the ICC intervention, the local practices came to be increasingly framed as Acholi traditional justice and discussed from the viewpoint of transitional justice.

As mentioned earlier in this paper, restorative justice was proposed in the 1970s in Western societies as an alternative to, or a complementary mechanism of, the existing justice system. It is commonly associated with participation of the victim, perpetrator, and the wider community, and it is expected to contribute to the healing of both victims and offenders, the reintegration of the offenders, and the restoration of relationships in their community. After gaining popularity in Western societies, the concept of restorative justice moved into the international arena in the 1990s, when transitional justice became one of the core issues in the context of peace building and conflict prevention among international policymakers. Transitional justice most often refers to a range of justice approaches adapted to societies in transition after a period of pervasive human rights abuse. Encompassing both restorative and retributive approaches, transitional justice is generally expected to play a role in healing individual trauma, promoting a sense of emotional well-being by bringing justice to victims, and thus, addressing both the consequences and the causes of violence. Among its various approaches, restorative justice, in particular, is expected to heal both offenders and victims, restore broken social relationships, and help offenders such as ex-soldiers reintegrate into the community.

Obviously, there is some overlap between the reintegration of ex-soldiers and restorative justice. Therefore, when those who specialize in transitional justice learned of the statements and documents by NGOs, researchers, and traditional leaders on the local practices in the context of the reintegration of former LRA members, they were likely to have perceived the practices in the framework of restorative justice. The fact that other post-conflict justice mechanisms adopted in Africa since the 1990s, such as the Truth and Reconciliation Commission of South Africa and the Gacaca of Rwanda, are often portrayed as restorative in the study of transitional justice, may have been an additional factor that reinforced their conviction.

Furthermore, in the early stage of the controversy, those outside of the sub-region who took an interest had very little information on the details of the local practices described as Acholi traditional justice beyond vague and normative descriptions. There was also a general lack of easily accessible documentation on

the local practices (Liu Institute for Global Issues et al., 2005: 2). After the ICC intervention, Acholi NGO staff and traditional leaders claimed that the process of *mato oput* would be applicable to the LRA leaders such as Kony, often arguing that other rituals had already taken place for former LRA members. However, as noted earlier, most of these actual ritual processes required little or no compensation. Moreover, Acholi NGO staff and traditional leaders frequently explained traditional rituals in connection with the Amnesty Act of 2000 (Amnesty Act, 2000), which was meant to encourage the return and reintegration of the LRA members. The Preamble of the Act states that the purpose of the Act is “to provide for an Amnesty for Ugandans involved in acts of a war-like nature in various parts of the country and for other connected purposes.” Section 9(c) of the Act requires the Amnesty Commission, established to implement the Act, to “consider and promote appropriate mechanisms of reconciliation in affected areas.” Based on this provision, subjecting the former LRA members to the traditional mechanisms was deemed to provide a complementary role to the Act (Liu Institute for Global Issues et al., 2005: 44). Indeed, rituals that focused on cleansing and reception into society of the former LRA members can be explained as being within the confines of Acholi traditional justice, as long as they were decided in accordance with customary law.

However, to those unaccustomed to the differences among the various ritual processes, this explanation may have reinforced the conviction that *mato oput* was aimed at cleansing, forgiveness, and amnesty. The same could be said of those who were unaware of the relationship between the Amnesty Act and Acholi traditional justice, or those who only knew the common narrative of traditional justice that it was restorative. In fact, some reports confused *mato oput* with other rituals that focused on cleansing and reception, and they stated that all the Acholis wanted was to cleanse and forgive the LRA leaders (Glassborow, 2006; Lacey, 2005). Moreover, many Christian leaders, who also have a certain level of influence in this sub-region, have often described Acholi traditional justice from their viewpoint of Christian mercy. The fact that their accounts were frequently reported by the media and researchers immediately following the ICC intervention may have further prompted the idea that Acholi traditional justice was all about mercy and forgiveness.

EMERGENCE OF GLOBAL THERAPEUTIC GOVERNANCE

Since the 1990s, aid donors, researchers, and the media have consistently argued that recent wars, unlike those in the past, have been mostly civil conflicts and have tended to involve unusual violence deliberately directed against civilians and essential infrastructures, livelihood systems, and cultural institutions (Boutros-Ghali, 1992; Collier, 2000; Commission for Africa, 2005; Commission on Human Security, 2003; Kaldor, 1999). As Duffield and Waddell (2004) point out, conflict came to be understood as a biopolitical threat to human development—as something that destroys the homeostatic nature of populations, wrecking infrastructures and livelihood systems, tipping them into disequilibrium, and leaving individuals

psychologically dysfunctional. At the same time, this thinking has it that poorer countries are at a higher risk of falling into conflict than richer ones because the poor experience more acute anger, grievance, and frustration; therefore, they are more likely to be drawn in by violent leaders or to believe that they have more to gain from war than peace (Anderson, 1996; Commission on Human Security, 2003). Distressful experiences such as conflicts are considered to trigger traumatic symptoms that cause dysfunctionality, leading to a vicious cycle of trauma and violence (Commission for Africa, 2005: 152; Millennium Project, 2005: 187).

The ideas behind this concern over a population's psychology can be traced to the reinterpretation of social problems as issues of emotional functionalism/dysfunctionalism in Western societies in the latter half of the twentieth century, where a lack of strong, shared convictions and collective consciousness led to the conception of the self as vulnerable (Pupavac, 2004). In the late nineteenth and early twentieth centuries, psychologists and sociologists argued that the masses were driven by their emotions rather than by reason, while the elites could act rationally (Le Bon, 2002; Ortega y Gasset, 1964; Trotter, 2009). Compared to the earlier arguments, contemporary therapeutic approaches now widely accepted in Western societies exhibit a more general retreat from the belief in rationalist approaches (Pupavac, 2000). The dichotomies between health and disease, sanity and insanity, normalcy and abnormalcy, rationality and irrationality have become blurred (Nakajima, 2008). Instead of placing individuals on either side of these binary divides, the contemporary therapeutic approaches view individuals as universally susceptible to psychological and social dysfunctionality, with varying degrees of risk (Nakajima, 2008). The political ideal of the individual as a mature, autonomous, rational subject has been replaced by a postmodern model of the vulnerable self who is at risk of dysfunction (Pupavac, 2006). Public policy is premised on the assumption of this general vulnerability, and the provision of counseling is now a routine feature in schools and workplaces. The idea of restorative justice aiming to heal the psychological wounds of offenders, victims, and communities has, thus, gained popularity as a way to reform justice systems.

Despite the increasing concern over psychological and social dysfunctionality in Western societies in the latter half of the twentieth century, the idea of reducing the causes of war to individual psychology was challenged by national liberation movements, newly independent states, and the Soviet bloc in the post-war period (Pupavac, 2001a). They criticized that such an idea delegitimized the liberation movements, neglected the wider structural issues and international aspects of conflicts, and would lead to interference in the domestic affairs of states and the erosion of the right to national self-determination. However, after the demise of the Soviet bloc and the Non-Aligned Movement, the therapeutic understanding of southern conflicts started to dominate donor policy documents and academic literature. By this time, therapeutic perspectives had been deeply rooted in the way people in Western societies, including aid workers, researchers, and policy-makers, understood themselves and others.

Southern populations, especially those that have been affected by war, are now regarded as being at a higher risk of emotional dysfunctionality. While Western colonialists painted wars among Africans or their resistance to colonization as

manifestations of their irrationality and backwardness, the current interpretation of southern conflicts is not based on a dichotomy between rationality and irrationality.⁽¹⁹⁾ Rather, it is the higher risk of dysfunctionality that is viewed as problematic and dangerous. Based on this thinking, the emotional state of southern populations has become a major concern for international policymakers (Pupavac, 2001a; 2001b; 2004). Coupled with the gradual shift from the late 1960s onwards in the notion of development from material transformation to basic needs, resilience, and psychological well-being, development and security agendas merged in the 1990s (Duffield & Waddell, 2004). The line between humanitarian aid and development aid has become blurred. Known as “new humanitarianism,” humanitarian aid came to be expected to play an integral part in donors’ strategies to prevent future violence and set the stage for sustainable development (Anderson, 1996). A range of development and peace building technologies has been devised to act on populations to improve their resilience, satisfy basic needs, promote inclusion, and ensure the psychological and moral development of individuals and communities (Duffield & Waddell, 2004).

Termed “therapeutic governance” by Pupavac (2001b), not only inter-ethnic relations, economic policy, or political system, but also a population’s psychology and intimate relationships are now the targets of global governance. Proponents of such therapeutic intervention do not necessarily perceive their approach as challenging the autonomy of societies and individuals, since they promote it under the name of empowerment (Pupavac, 2000). They understand it as a “new and improved” (Easterly, 2003) approach that effectively addresses the criticism of earlier practices of development and humanitarian aid as being paternalistic and disempowering. However, this approach that supposedly empowers individuals and builds a peaceful democratic society is founded on the model of the self as ever-vulnerable to risk and dysfunctionality, not an autonomous rational subject and, therefore, legitimizes pacification interventions at the level of people’s personal emotions and intimate relations. While the focus is placed on individual feelings and intimate relations, the historical, structural, and international dimensions of conflict are generally obscured in this approach (Pupavac, 2000).

These days, peace education, trauma counseling, transitional justice mechanisms, and other reconciliation measures are essential components of international intervention during or after a conflict, as they are seen as addressing both the consequences and the causes of the conflict. Development projects also include activities that explicitly address the psychological conditions of individuals and communities, such as peace education programs and confidence building measures. Moreover, as I noted above, the focus of development projects themselves has generally moved away from material transformation to the psychological well-being of recipients.

Throughout the revival of tradition in the Acholi sub-region, outside agencies projected this conception of the vulnerable self upon the Acholi people and their categorization of justice mechanisms upon the local practices in the sub-region. Both before and after the ICC intervention, when non-Acholi actors such as aid donors, researchers, and lawyers portrayed “the tradition,” it was often a reflection of their own desire for, or vision of, a particular way to govern the Acholi people.

In the camp setting, various functions including food and water supplies, education, and medical treatment were provided and managed by aid agencies, although their supplies rarely met the IDPs' actual needs and were halted when security conditions deteriorated. While the camps were often compared to concentration camps (Mamdani, 2010), aid agencies eagerly sought to "heal the trauma" of the Acholis and deployed psychosocial activities in various forms and methods, including traditional dances, songs, and rituals. In a sense, the situation was the embodiment of what Žižek (2008: 42) calls the two aspects of post-political bio-politics: on the one hand, humans are reduced to "bare life," to *Homo sacer*—the so-called sacred being who is the object of expert caretaking knowledge but is excluded from all rights—and on the other hand, respect for the vulnerable Other is taken to the extreme through an attitude of narcissistic subjectivity that experiences the self as vulnerable.

REVIVAL OF ACHOLI TRADITION IN THE CONTEXT OF LOCAL HISTORY

Despite the outside agencies' desire for therapeutic governance, this vision may not have been shared by all the Acholi proponents of tradition who have cooperated with outside agencies. This section describes the outside intervention within the context of the local history and shows that the therapeutic paradigm may have been (re)interpreted differently by various Acholi actors.

This is not the first time in the Acholi sub-region that outside actors placed local practices within a framework that reflected their own vision of governance. For instance, medical anthropologists and medical professionals increasingly started to term such local practices as "traditional healing," "traditional medicine," or "alternative medicine" in the latter half of the twentieth century. As explained by Allen (2008), the kind of practices recently described as "Acholi traditional justice" are the same sorts of activities that have been noted in Uganda and elsewhere by researchers and professionals working in the field of public health. The same practices "can be viewed as dispensers of 'traditional healing' as well as 'traditional justice'" (Allen, 2008: 50). While these professionals conceptualized and understood the local practices within their framework of public health, in the course of their efforts to train and cooperate with local actors, new kinds of hybrid healers emerged (Allen, 2008: 50). Another example can be found in the colonial period, when Christian missionaries tried to make sense of the "Acholi religion" in their effort to properly translate Christian ideas into the local language and thereby civilize the Acholis (Behrend, 1999). A highly complex process of reorganizing and reformulating meanings and relationships between local and Christian concepts resulted in new and hybrid concepts and worldviews (Behrend, 1999). For example, it was through the interaction with Christianity that a new kind of spirit medium called *nebi*⁽²⁰⁾ emerged after independence.

Incorporating both traditional and Christian ideas, *nebis* played the roles that had been formally fulfilled by chiefs and elders, whose authority had already declined due in part to the policies employed by the colonial administration and post-independence regimes. In fact, Joseph Kony's predecessor, Alice Lakwena of the Holy Spirit Move-

ment (HSM), first emerged as a *nebi* in the 1980s (Behrend, 1991).

In the midst of societal confusion during the 1980s, chiefs and elders problematized the vengeful spirits brought by young soldiers who had committed crimes under the Okello regime and then fled to the north after the regime was overthrown. The chiefs and elders tried to use Acholi tradition to make these young soldiers submit to their authority, but many of the soldiers were unwilling to go through their ritual processes (Behrend, 1998: 248–249). The chiefs and elders claimed that such “impure” soldiers were the roots of all evil, and that such transgression against the moral order was causing further suffering and disorder in the society, creating a cycle of violence. As argued by Behrend (1998), Lakwena was able to gain a certain level of support from the Acholi because she was able to fulfill the role that the chiefs and elders had failed to execute. She cleansed the soldiers and others of the vengeful spirits and fought against witchcraft and sorcery through her own rituals, which included both “traditional” and Christian elements (Behrend, 1995: 64). As though she were a chief, she also provided moral education and set up regulations and codes of conduct so that the moral community would be reconstituted (Behrend, 1991). However, in attempting to cleanse the society and restore moral order, her logic of the war against the external enemy (Museveni’s government) as well as against internal “impure” elements easily legitimized her cleansing, or killing, directed at fellow Acholis whom she deemed “impure.”⁽²¹⁾

After the HSM was defeated by the government forces, the already eroded authority of the chiefs and elders was further attacked by Joseph Kony of the LRA. He also cleansed its members of witchcraft and sorcery through his own hybrid rituals and made them adhere to his code of conduct. While fighting against the government, as Lakwena did, he increasingly directed fierce attacks on “impure” Acholis who did not support his army.

Furthermore, in the 1990s, aid agencies came to regard the Acholis as traumatized and, therefore, started to provide counseling, psychotherapy, or psychological treatments. What can be understood as a consequence of vengeful spirits was now regarded as a symptom of “trauma.” An increasing number of aid agencies tried to heal the Acholis based on their own psychologized understanding of the causes and consequences of the conflict as well as its solution. They started to tell people that former LRA members were having nightmares due to their traumatic experiences and that they could be healed through psychological programs provided by aid agencies. Such an argument implicitly denied the claim that former LRA members were suffering because of the vengeful spirits brought about by their conduct and that required ritual processes organized by chiefs and elders. In addition, the power and influence of Christian leaders, who worked closely with aid agencies and played a role in peace negotiations between the government and the LRA in the 1990s, also increased in the sub-region. Moreover, born-again churches and organizations, which generally perceived Acholi tradition as satanic, enjoyed a growing following in the sub-region. Some international Christian NGOs tried to convert former LRA members in the name of “trauma care” while telling them that Acholi tradition was satanic.

It was under such circumstances that Acholi tradition gained attention from aid

agencies and was subsequently revived. As I argued earlier, it received attention and support because aid agencies came to see individual psychological dysfunctionism and broken social relationships as the root causes as well as the consequences of conflict, and thus, considered healing, reconciliation, and the reconstruction of social relationships essential. Acholi tradition was expected to serve this purpose.

However, such a psychologized understanding of the conflict may not have been shared by all the Acholi actors who cooperated in the revival. In fact, the psychologized narrative of aid agencies may have had some resonance with the way in which the conflict was understood by chiefs and elders in the sub-region. As I mentioned above, in the 1980s, chiefs and elders claimed that the crisis was a moral one. They held that the transgression against the moral order was causing further suffering and disorder, thereby creating a cycle of violence. The subsequent unending war, further confusion, and further erosion of their authority and power may have confirmed their view. Thus, even without sharing the postmodern conception of the self, or the psychologized understanding of the war, the elders may have generally agreed that the collapse of the social and moral order had brought on the war and confusion, resulting in the further erosion of their tradition, requiring “healing,” the “revival of the tradition,” and a “culture of peace based on tradition” so that the “cycle of violence” would be stopped.

Furthermore, like most Acholi people, many chiefs and elders were living in distress in the overcrowded IDP camps, relying on humanitarian aid. Therefore, as long as they gained access to donor funds, they may not have been concerned about the way in which donors framed Acholi tradition.⁽²²⁾ In the course of my research, many proponents of Acholi tradition seemed well aware that donors supported Acholi tradition, in part, because of their concern about the Acholi people’s alleged trauma. One elder who often had contact with donors noted the following:

The meaning attached to Western words is not necessarily the meaning we attach to the same words, such as trauma. To us, that meaning is very light.⁽²³⁾ Our meaning is much deeper and heavier than they think. It is more than trauma. It is the soul of the deceased that causes problems.⁽²⁴⁾

In response to my question about whether he explained this view to donors such as foreign NGO staff, he answered in the negative:

We usually interact with them very officially. They have already decided the way they conceive.⁽²⁵⁾

As I noted earlier, many aid agencies tend to encourage psychosocial activities based on local culture, tradition, or religion so long as they seem to bring about consequences similar to those provided by activities more strictly founded on psychology. Likewise, many Acholi proponents of tradition may not have been very concerned about the way it was framed by aid donors as long as they provided funding.

Indeed, there was some concern and uneasiness among traditional leaders and Acholi NGO staff about activities such as counseling and psychotherapy because they understood these activities as more strictly based on Western psychology. However, in trying to discourage foreign aid personnel from carrying out such activities, the Acholi actors did not deny the therapeutic understanding of Acholi individuals and the conflict, and instead presented traditional practices as more appropriate in healing trauma in the Acholi context.

As the above remark of the elder may imply, it is almost impossible for Acholi actors to receive donor funding unless their proposals fit within the frameworks that donors have already set. However, by utilizing the donors' frameworks and negotiating with the Western psychological approach, the chiefs and elders were able to try to recapture their lost power and status.

When the ICC announced its planned investigation into the situation in northern Uganda, it was the first time that many Acholi NGO staff and traditional leaders had heard of the court. Most of them were unaware of the detailed theoretical distinctions between restorative and retributive justice mechanisms frequently employed in the study of transitional justice. Therefore, as pointed out earlier in this paper, many did not clearly distinguish between restorative and retributive ideas in the narratives when they talked to outside agencies. However, in their interactions with outside agencies, they seem to have been generally accustomed to presenting their tradition as something effective in healing, reconciliation, restoring relationships, or reintegrating and rehabilitating ex-soldiers. As new supporters and advocates entered the arena of Acholi traditional justice after the ICC intervention, new funds were made available to support the activities of the traditional leaders and tradition-related activities in general.

When contextualized within the longer history of the Acholi sub-region, the revival of Acholi tradition since the 1990s along with the attention and enthusiasm accorded to Acholi traditional justice following the ICC intervention enabled the chiefs and elders to try, albeit in a new and hybrid form, to reorder the society, re-establish social norms, and regain their power and status (Dolan, 2002). Their cooperation with the outside agencies seems to have entailed resonance and compromise with, as well as resistance against, the psychologized account of the conflict and the people's suffering.

Interestingly, the recent revival of Acholi tradition is somewhat comparable to the attempts of Alice Lakwena and Joseph Kony to cleanse the society and restore moral order. In the 1990s, Bradbury (1999: 20) argued the following:

...an interesting aspect of the emphasis on Acholi traditional practices is the way it resembles the efforts of Lakwena and Kony to "cleanse" Acholi society of evil spirits and witches. The traditional ritual practices of elders seem to be being pitched against the rituals of Kony. Perhaps the battle is not just for the "hearts and minds" of the Acholi, but also for the soul.

As I noted earlier, chiefs and elders tried to use Acholi tradition to make the young soldiers submit to their authority in the 1980s, by emphasizing their "impurity" and arguing for their need to be cleansed through the ritual processes

that they organized. Their initial and immediate strong reaction against the ICC may have had as much to do with their vision of social and moral order as with their concern about the timing, one-sidedness, and possible political abuse of the intervention. They were indeed worried that the ICC would be used as a political tool by the Ugandan government that wanted to legitimize its policy of “military solution” to the conflict. They also claimed that the ICC was unlikely to deal with the crimes committed by the government forces. They feared that the court’s intervention would push the LRA to commit more atrocities against the Acholis and would complicate any efforts to negotiate with the LRA. At the same time, they may have perceived the intervention as one that would interfere with their effort to reorder the society.

Nevertheless, I should not exaggerate the current level of power and authority of the traditional leaders in the sub-region. As I noted earlier, their power and authority had already waned before the conflict started in the 1980s. The subsequent long war and displacement meant that some Acholis, especially the youth, do not even know the names of their clan chiefs. Furthermore, some chiefs and elders do not recognize the authority of the KKA or the paramount chief. There are those inside who point out the internal division and discontent within the KKA.⁽²⁶⁾ Others are envious of some chiefs who appear to have enriched themselves in the course of the renewed attention to so-called tradition. Furthermore, some, especially women and young Acholis, fear that the empowerment of the elders and chiefs may mean forced submission to their authority. As young, educated Acholis who use PCs and the Internet have become the main force within the aid industry in the sub-region, the authority of the KKA and the chiefs and elders in general is not very highly regarded even by those within the industry these days. In addition, as I mentioned earlier, there are Christian leaders with a certain level of influence in this area who tend to describe Acholi traditional justice in their Christian language. They also cooperate with aid donors, implement psychosocial activities, and have their own cleansing rituals for former LRA members “to offer thanksgiving and ask for blessing and safekeeping from God” (International Rescue Committee, 2002). Furthermore, the number of born-again churches and followers has been increasing in the area. They generally reject so-called traditional practices as satanic, and they, too, offer their own cleansing methods. Some relatively young Acholis have university degrees in psychology or have attended courses in counseling. Some of them now work for aid agencies, and provide counseling or psychological treatment. In addition, some aid agencies train chiefs, elders, and others in basic skills in counseling and psychological support (Canadian Physicians for Aid and Relief, 2001). The ICC has conducted outreach activities in the area to build and maintain support for the court and to sensitize people to the rights of victims and witnesses, including their access to reparation and psychological care, reassuring people that the ICC can work hand in hand with Acholi tradition.

A detailed and careful examination is needed with regard to what the revival of Acholi tradition brings about in the sub-region, where various actors explain the “tradition” based on differing, and at times hybrid, worldviews. Such an examination will also need to take into account the broader and longer-term

context. During the course of the revival since the 1990s, much attention has been paid to the inner problems of the Acholi people as both the consequences and causes of the conflict. After the ICC intervention, overwhelming focus was placed on the issue of Acholi traditional justice versus ICC justice. In such debates, how best to deal with the crimes committed by the LRA and how to psychologically heal “traumatized” Acholis were deemed to be crucial issues to peace building and conflict prevention. However, such attention may have overshadowed the responsibility of the Ugandan government and shifted attention away from the historical or international contexts of the conflict, for instance, colonial rule, which created the country’s north-south divide. Other international dimensions of the conflict, such as the relation between Uganda and Sudan, Western countries’ political, economic, and military support to the Museveni regime, and the negligence of the situation in northern Uganda in the 1990s, were not given much attention either. The emphasis on the need to heal the “traumatized” (and, thus, potentially violent) Acholis may have reinforced the innately violent image of the Acholi people originally forged through colonial rule and then utilized by the current regime.

CONCLUSION

As Pupavac (2000) argues, global therapeutic governance pathologizes war-affected populations as emotionally dysfunctional and problematizes their right to self-government and autonomy, leading to extensive external intervention. As the case of the revival of Acholi tradition shows, based on the therapeutic paradigm, outside actors have been able to legitimize far-reaching interventions into various aspects of Acholi social life, including traditional rituals, relationships within the family and the clan, and individuals’ emotions. The therapeutic narrative of Acholi tradition developed through the revival process dominated the debates over transitional justice after the ICC intervention, with possible influence on the course of the conflict itself.

Despite this “triumph of the therapeutic” (Rieff, 1966) in international aid, the case of the revival of Acholi tradition also shows that global therapeutic governance is not necessarily a consolidated project; rather, it is one that is fragile and replete with tensions and contradictions. The Acholi sub-region has not been a simple laboratory for peace building in which outside actors can carry out experiments in social engineering without being (re)interpreted, tamed, negotiated, or resisted by local actors. The therapeutic understanding of war and its underpinning conception of the vulnerable self were not straightforwardly embraced or reproduced by Acholi actors. Instead, the therapeutic paradigm seems to have been (re)interpreted, utilized, and circumvented by various Acholi actors with differing, and at times hybrid, worldviews and visions of governance. This implies how limited outside agencies can be in putting their policies and visions into practice, that is, how fragile their authority can be. The social relations that have been, or will be, “restored” as a result are unlikely to be the same as those that existed before the conflict started, nor do they seem to function in the exact way that

international policymakers would have expected. What the analysis of this paper unveils is not so much the vulnerability of the “traumatized” Acholis, but that of global therapeutic governance itself.

ACKNOWLEDGEMENTS This paper is based on my paper presented at the British International Studies Association Annual Conference 2009 (14–16 December 2009, University of Leicester, United Kingdom), and a presentation at a conference, “Emerging Approaches to Understanding Violence and Social Transformation in East Africa,” organized by Kyoto University on July 31, 2010.

NOTES

- (1) The fieldwork was conducted in March–April 2006, February–March 2008, November–December 2008, and January–February 2010 in Uganda. I have been working as a policy officer in the humanitarian section of an international NGO since 2003. Although I am not directly in charge of issues related to the conflict in northern Uganda, the fact that they are handled by other staff in the humanitarian section has enabled me to observe the arguments within the organization and among the wider circle of NGOs, researchers, the ICC, and others. The fieldwork was conducted as part of my doctoral research, not in the course of my work for the NGO. Therefore, most interviewees in Uganda were not aware of my affiliation with the NGO. The analysis in this paper is my own and does not reflect the position of the NGO.
- (2) April 24, 2011.
- (3) Central African Republic, Darfur in Sudan, Democratic Republic of Congo, Libyan Arab Jamahiriya, Northern Uganda, and Republic of Kenya.
- (4) In the Acholi sub-region today, “traditional leaders” refers to chiefs and elders of various clans. Christian and Muslim leaders are generally called “religious leaders.”
- (5) The conflict has affected other sub-regions of northern Uganda, southern Sudan, eastern parts of the Democratic Republic of Congo, and the Central African Republic.
- (6) Joseph Kony, Vincent Otti, Raska Lukwiya, Okot Odhiambo, and Dominic Ongwen.
- (7) Article 17 of the Statute. The principle of complementarity grants primary jurisdiction over the crimes defined in the Rome Statute to the respective States Parties on whose territory, or by whose nationals, the alleged crimes are committed.
- (8) Raska Lukwiya and Vincent Otti.
- (9) This literally means, “drinking of the bitter root.” The ritual includes the shared drinking of a bitter juice made from the *oput* tree.
- (10) The terms are mentioned in Liu Institute for Global Issues et al. (2005: 127).
- (11) The spirit of the dead is said to bring misfortune in the form of nightmares, sickness, and even death to the family or clan of the guilty party until an appropriate process is carried out.
- (12) Interview with an Acholi NGO staff member on March 31, 2006, in Gulu town. She was one of the NGO workers who often explained “Acholi traditional justice” to foreign researchers and the media.
- (13) Interview with an Acholi NGO staff member on February 13, 2008, in Gulu town. Similarly, *culu kwor*, often translated as “pay compensation” is also translated as “retaliate.” In an Acholi language textbook, *culu kwor* is used to translate “retaliate” and “vengeance” (Festo, 2000: 158, 187).

- (14) He is a Christian who worked for an international NGO in Uganda in the 1980s, then as a social development adviser at the Department for International Development (DFID) of the UK (Allen, 2005: 67; Dolan, 2000: 8).
- (15) The term literally means “Chief of All Chiefs” or “Head of Chiefs.”
- (16) “Traditional” or “cultural” institutions and leaders are protected and regulated under the 1995 Constitution.
- (17) There are some exceptions, which referred to the anthropological studies conducted before the conflict (Hovil & Quinne, 2005; J. Okumu, 2005).
- (18) There are some exceptions, where the local practices are narrated as a restorative justice mechanism (e.g., Human Rights and Peace Centre & Liu Institute for Global Issues, 2003).
- (19) It needs to be noted that colonial boundaries between the ruler and ruled, civilized and savage, rational and irrational, white and black were murky, took much hard work to sustain, and were repeatedly subverted (Cooper & Stoler, 1997).
- (20) From the Hebrew word, *nabi*, for prophet in the Old Testament (Behrend, 1999: 124).
- (21) For instance, those accused of practicing or using witchcraft or sorcery, impure soldiers, and other rebel groups (Behrend, 1998: 247).
- (22) This was pointed out by Chris Dolan in a conversation with the author in March 2008. Dolan worked as a research officer at the ACORD office in Gulu in the late 1990s.
- (23) In the eyes of the elder, the meaning that the donors attach to the term “trauma” is superficial compared to the meaning he would give.
- (24) Interview with an Acholi elder on February 12, 2008, in Gulu town.
- (25) The idea here is that foreign NGOs arrived with preconceived notions and assumptions.
- (26) Interview with an Acholi elder on February 12, 2008, in Gulu town.

REFERENCES

- Abrahamson, R. 2005. Blair’s Africa: The politics of securitization and fear. *Alternatives*, 30: 55-80.
- Afako, B. 2003. *Pursuing Peace in Northern Uganda: Lessons from Peace Initiatives, Report Commissioned by CSOPNU*. Civil Society Organisations for Peace in Northern Uganda (CSOPNU), Kampala.
- Allen, T. 2008. Ritual (ab)use?: Problems with traditional justice in northern Uganda. In (N. Waddel & P. Clark, eds.) *Courting Conflict?: Justice, Peace and the ICC in Africa*, pp. 47-54. The Royal African Society, London.
- . 2005. *War and Justice in Northern Uganda: An Assessment of the International Criminal Court’s Intervention*. Independent Report. Crisis States Research Centre, Development Studies Institute, London School of Economics, London.
- Amnesty Act 2000. An Act to provide for an Amnesty for Ugandans involved in acts of war-like nature in various parts of the country and for other connected purposes. *Laws of Uganda*, Vol. XII Ch. 294 (Act 2/2000).
- Anderson, M.B. 1996. *Do No Harm: Supporting Local Capacities for Peace through Aid*. Collaborative for Development Action Local Capacities for Peace Project, Cambridge.
- Behrend, H. 1991. Is Alice Lakwena a witch?: The Holy Spirit Movement and its fight against evil in the north. In (H.B. Hansen & M. Twaddle, eds.) *Changing Uganda*, pp. 162-177. Fountain Publishers, Kampala.
- . 1995. The Holy Spirit Movement and the forces of nature in the north of Uganda: 1985-1987. In (H.B. Hansen, & M. Twaddle, eds.) *Religion and Politics in East Africa: The Period since Independence*, pp. 59-71. James Currey, London.

- . 1998. The Holy Spirit Movement's new world: Discourse and development in the north of Uganda. In (H.B. Hansen & M. Twaddle, eds.) *Developing Uganda*, pp. 245-253. Fountain Publishers, Kampala.
- . 1999. *Alice Lawkwna and the Holy Spirits: War in Northern Uganda 1986-97*. Fountain Publishers, Kampala.
- Biccum, A. 2005. Development and the "new" imperialism: A reinvention of colonial discourse in DFID promotional literature. *Third World Quarterly*, 26(5): 1005-1020.
- Blumenson, E. 2006. The Challenge of a Global Standard of Justice: Peace, Pluralism, and Punishment at the International Criminal Court. *Columbia Journal of Transnational Law*, 44(3): 801-874.
- Boutros-Ghali, B. 1992. *An Agenda for Peace: Preventing Diplomacy, Peacemaking and Peace-keeping* (UN Doc. A/47/277-S24111). United Nations, New York.
- Bradbury, M. 1999. *An Overview of Initiatives for Peace in Acholi, Northern Uganda*. The Collaborative for Development Action, Massachusetts.
- Branch, A. 2004. International justice, local injustice. *Dissent*, 51(3): 22-26.
- Canadian Physicians for Aid and Relief 2001. *Evaluation of the Reintegration and Conflict Resolution Programme for Northern Uganda, June 2001* (unpublished document).
- Chandler, D. 2010. Neither international nor global: Rethinking the problematic subject of security. *Journal of Critical Globalisation Studies*, 3: 89-101.
- Civil Society Organisations for Peace in Northern Uganda (CSOPNU) 2005. *The International Criminal Court Investigation in Northern Uganda*. CSOPNU, Kampala.
- Collier, P. 2000. Doing well out of war: An economic perspective. In (M. Berdal & D.M. Malone, eds.) *Greed and Grievance: Economic Agendas in Civil Wars*, pp. 91-112. Lynne Rienner Publishers, London.
- Commission for Africa 2005. *Our Common Interest: Report of the Commission for Africa*. Commission for Africa, London.
- Commission on Human Security 2003. *Human Security Now: Protecting and Empowering People*. Commission on Human Security, New York.
- Cooper, F. & A.L. Stoler 1997. Between metropole and colony: Rethinking a research agenda. In (F. Cooper & A.L. Stoler, eds.) *Tensions of Empire: Colonial Cultures in a Bourgeois World*, pp. 1-58. University of California Press, Berkeley.
- Dolan, C. 2000. *Views on the Northern Uganda Conflict From Inside the War Zone, Report on COPE Fieldwork Findings, Northern Uganda*. Consortium for Political Emergencies (COPE) Working Paper, 35. ACORD, London.
- . 2002. Which children count?: The politics of children's rights in northern Uganda. *Accord*, Issue 11. Online. <http://www.c-r.org/our-work/accord/northern-uganda/which-children-count.php> (Accessed April 24, 2011).
- Duffield, M. 2001. *Global Governance and the New Wars: The Merging of Development and Security*. Zed Books, London.
- Duffield, M. & N. Waddell 2004. *Human Security and Global Danger: Exploring a Governmental Assemblage*. Report completed with a grant from the Economic and Social Science Research Council's (ESRC) New Security Challenges Programme. Department of Politics and International Relations, University of Lancaster, Lancaster.
- Easterly, W. 2003. The cartel of good intentions: The problem of bureaucracy in foreign aid. *Journal of Policy Reform*, 5(4): 1-28.
- Enomoto, T. 2006. The conflict in northern Uganda and Acholi communal cleansing ceremonies (in Japanese). *Ajiken World Trend*, 134: 32-35.
- . 2007. The conflict in northern Uganda and Acholi "traditional" rituals (in Japanese). *Ajiken World Trend*, 137: 44-47.
- Festo, O. 2000. *Acholi for Beginners*. Pilato, London.

- Furedi, F. 2007. *Invitation to Terror: The Expanding Empire of the Unknown*. Continuum, London.
- Girling, F.K. 1960. *The Acholi of Uganda*. Her Majesty's Stationery Office, London.
- Glassborow, K. 2006. Peace versus justice in Uganda. *Institute for War and Peace Reporting (IWPR)*, September 27, 2006.
- Greenawalt, A.K. 2009. Complementarity in crisis: Uganda, alternative justice, and the International Criminal Court. *Virginia Journal of International Law*, 50(1): 107-162.
- Hovil, L. & J. Quinne 2005. *Peace First, Justice Later: Traditional Justice in Northern Uganda*. Refugee Law Project Working Paper, 17. Refugee Law Project, Kampala.
- Human Rights and Peace Centre & Liu Institute for Global Issues 2003. *The Hidden War, the Forgotten People: War in Acholiland and Its Ramifications for Peace and Security in Uganda*. Human Rights and Peace Centre and Liu Institute for Global Issues, Kampala.
- Human Rights Watch 2003. *Abducted and Abused: Renewed Conflict in Northern Uganda*. Human Rights Watch, New York.
- 2005. *Uprooted and Forgotten: Impunity and Human Rights Abuses in Northern Uganda*. Human Rights Watch, New York.
- Huyse, L. & M. Salter 2008. *Traditional Justice and Reconciliation after Violent Conflict: Learning from African Experiences*. International Institute for Democracy and Electoral Assistance, Stockholm.
- International Rescue Committee 2002. *Ritual Report for Lamwaka Florence and Lalam Jennifer of Omiya Anyima, 18th February 2002* (unpublished document).
- Kaldor, M. 1999. *New and Old Wars: Organized Violence in a Global Era*. Polity, Cambridge.
- Ker Kwaro Acholi 2001. *Law to Declare the Acholi Customary Law*. Ker Kwaro Acholi, Gulu.
- Lacey, M. 2005. Atrocity victims in Uganda choose to forgive. *The New York Times*, April 18, 2005. Online. <http://www.nytimes.com/2005/04/18/international/africa/18uganda.html> (Accessed April 24, 2011)
- Le Bon, G. 2002. *The Crowd: A Study of the Popular Mind*. Dover Publications, New York. (Originally published in French in 1895)
- Liu Institute for Global Issues, Gulu District NGO Forum, and Ker Kwaro Acholi 2005. *Roco Wat I Acoli: Restoring Relationships in Acholi-land: Traditional Approaches to Justice and Reintegration*. Liu Institute for Global Issues, Vancouver.
- Mamdani, M. 2010. Responsibility to protect or right to punish? *Journal of Intervention and Statebuilding*, 4(1): 53-67.
- Millennium Project 2005. *Investing in Development: A Practical Plan to Achieve the Millennium Development Goals*. Earthscan, New York.
- Nakajima, H. 2008. Psychologism and its penetration into education (in Japanese). In (Japan Society of Clinical Social, ed.) *Psychologisation of Society*, pp. 19-74. Gendai Shokan, Tokyo.
- Newman, E. 2010. Peacebuilding as security in “failing” and conflict-prone states. *Journal of Intervention and Statebuilding*, 4(3): 305-322.
- Nielsen, T. 2008. The International Criminal Court and the “peace versus justice” dichotomy. *Australian Journal of Peace Studies*, 3: 34-42.
- Okumu, C. 2000. Acholi orality. In (E. Breiteringer & R. Mbowa, eds.) *Uganda: The Cultural Landscape*, pp. 53-82. Fountain Publishers, Kampala.
- Okumu, J. 2005. *The Acholi People's Rites of reconciliation*. Caritas Gulu Archdiocese Working Paper, 6. Caritas Gulu Archdiocese, Gulu.
- Ortega y Gasset, J. 1964. *The Revolt of the Masses*. WW Norton & Co., New York. (Originally published in Spanish in 1930)
- p'Bitek, O. 1971. *Religion of the Central Luo*. East Africa Literature Bureau, Nairobi.

- Pain, D. 1997. *The Bending of the Spears: Producing Consensus for Peace & Development in Northern Uganda*. International Alert and Kacoke Madit, London.
- Pupavac, V. 2000. *Securing the Community?: An Examination of International Psychosocial Intervention*. Paper Presented at Balkan Security: Visions of the Future Conference, June 16-17, 2000. London, United Kingdom.
- . 2001a. *The End of Politics?: Therapy against Politics*. Paper for the 51st Political Studies Association Conference, April 10-12, 2001. Manchester, United Kingdom.
- . 2001b. Therapeutic governance: Psycho-social intervention and trauma risk management. *Disasters*, 25(4): 358-372.
- . 2004. Psychosocial interventions and the demoralization of humanitarianism. *Journal of Biosocial Science*, 36: 491-504.
- . 2006. *Refugees in the 'Sick Role': Stereotyping Refugees and Eroding Refugee Rights*. New Issues in Refugee Research: Research Paper, No. 128. UNHCR, New York.
- Reid, J. 2010. The biopoliticization of humanitarianism: From saving bare life to securing the biohuman in post-interventionary societies. *Journal of Intervention and Statebuilding*, 4(4): 391-411.
- Rieff, P. 1966. *The Triumph of the Therapeutic: The Uses of Faith after Freud*. Harper & Row, New York.
- Simonse, S. 1998. *Steps Towards Peace and Reconciliation in Northern Uganda: An Analysis to End the Armed Conflict Between the Government of Uganda and the Lord's Resistance Army 1987-1998*. Pax Christi Netherlands, Utrecht.
- Trotter, W. 2009. *Instincts of the Herd in Peace and War*. Cornell University Library, New York. (Originally published in 1916)
- Volqvartz, J. 2005. ICC Under Fire Over Uganda Probe, *Cable News Network (CNN)*, February 23, 2005.
- World Bank and Carter Center 1997. *From Civil War to Civil Society: The Transition from War to Peace in Guatemala and Liberia*. World Bank and the Carter Center, Atlanta and Washington, D.C. Online. <http://www.cartercenter.org/documents/1200.pdf> (Accessed April 24, 2011)
- Zehr, H. 1990. *Changing Lenses: A New Focus on Crime and Justice*. Herald Press, Scottsdale.
- Žižek, S. 2008. *Violence*. Picador, New York.

———. Accepted July 5, 2011

Author's Name and Address: Tamara ENOMOTO, *Advanced Social and International Studies, Graduate School of Arts and Sciences, Tokyo University, 3-8-1 Komaba, Meguro-ku, Tokyo 153-8902, JAPAN.*

E-mail: tamara_enomoto_67 [at] yahoo.co.jp